

**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Date:	May 30, 2008
Serial No.:	10/070,528
Filing Date:	December 2, 2002
Applicant:	PLANKI, Peter et al
Title:	METHOD AND DEVICE FOR MONITORING AND CONTROLLING THE OPERATIONAL PERFORMANCE OF A COMPUTER SYSTEM OR PROCESSOR SYSTEM
Examiner:	LOHN, Joshua A.
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Commissioner for Patents  
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Sir:

**AMENDMENT**

This Amendment is a submission pursuant to the requirements of filing a Request for Continued Examination under 37 C.F.R. 1.114. Prosecution of the merits of this application was closed on November 30, 2007. Please charge any deficiency or credit any overpayment with respect to this amendment to deposit account number 19-3140.

### **Issues Raised in the Office Action**

Claims 1 to 17 are currently pending in the application. By the Office Action, claims 1-17 were rejected. Claims 1-5, 7, 9 and 16 were rejected under 35 U.S.C. § 102(e) as being anticipated by Atkinson (6029119); claim 6 and 10 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Atkinson in view of Skeie; claims 8, 11, 13, 14 and 17 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Atkinson in view of Tobita et al.; and claims 12 and 15 were under 35 U.S.C. § 103(a) as being unpatentable over Atkinson and Skeie in view of Tobita et al.